E. I 94/893

G. R. S. [X-5]

Previous references. 1892-93

192

(L. C.)

File No. 15

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 — 5

Report Part B for February 189

SUBJECT.

Appealing Srinivasrao of Kurug
Tirumalrao Narasipur Talu
-uq a certain land.

W) 225-[illegible]-20,000-[illegible]-6-26

Coudl

Appeal Suit No. 146
92-93

Appellant
Ex. R. Secretary Rev
of Ceylon

Respondents
1. Deputy Assessor
2. Secretary Assessment
Board of Colombo
of J. Nainapillai Labbe

Against the decision of the Commissioner
dated 20th Oct. 1892 in the matter of the Appeal
Sitting at Assessor J. Nainapillai Labbe
dated 20th Oct. 1892 and Heard by the Respond-
-ent.

On the 8th June 1892 the Respondent
Deputy Assessor Secretary filed a
Nainapillai Labbe a claim for payment
of Assessment under Section 4 of
Ordinance No. 1 of 1891 for the year
1892 in respect of Assessment
Assessed on the Appellant

Idem ceram
Branded h. an
Appellant - Ours
claims to
14 Cent ware, 12
enamelled, Wheel
- ers

be on a higher level some amount should be laid out to suit it for wet cultivation.

Whereupon the Collector ordered that the land having been found to be in excess of the land in the [illegible] of [illegible] during the preparation of [illegible] of these lands, a [illegible] that should be granted to the Darkhastdar.

The villagers of [illegible] and [illegible] have took objection to this - the former complaining that the [illegible] for [illegible] the only road leading to their lands near [illegible] by raising [illegible] crop, whereby themselves and their cattle are put to great hardship - the latter alleging that the land belongs to them by right of purchase and requesting the cancellation of the darkhast. 25-10-91 & 27-11-91

The matter was referred to the [illegible] who reported that the land was [illegible] previously but was granted to [illegible]. The village cattle used to roam there. He has now raised [illegible] crop and allowed a road on the side of it. The land being thus [illegible] there seems no occasion for others to dispute about it. 19-11-91 & 5-2-91.

Whereupon the Collector examined [illegible], [illegible] the sale as also the sale certificate of 29 [illegible] 90 and the [illegible] of 5 January 91 between [illegible] and [illegible] [illegible] the 15-12-91

5 it true that the Sircar [illegible] would be put to much difficulty if given out to others and recommended that as he was willing to bid for it, it might be ordered to be sold by public auction. This was sanctioned on the 11th June 92.

Thereupon the Collector having issued sale notices for publication personally held the sale of the land on the 26th June 92. Sreenivasa Rao bid for it Rs [illegible] which was the highest bid deposited Rs [illegible] the submitting the sale list day the Collector reported on 7 July 92 that Narayanaswami having objected to the sale on the score of his having laid out large sums to make it fit for cultivation went away without signing the sale list. (He also submitted a petition

27-6-92 on the same date protesting against the sale and another by [illegible] Sreenivasa Rao [illegible] pointing out certain irregularities in the sale. These were submitted to the Collector who submitted his explanations.)

On the 18th July 92 a [illegible] from Mr. Krishnaswami [illegible] ordered that as the contention of [illegible] was totally ignored in the previous report of the Collector, the land was ordered by him to be sold. Since it has now been brought to his notice the sale of the [illegible] land [illegible] be upheld and the land is confirmed to [illegible]. Accordingly an endorsement was granted and the amount deposited by

On the 15th August the Seventeen Lords appointed to hear the Appeal of Forrester & Others against the Judgment of the Court of Session

1. That the Interlocutor complained of in so far as it sustains the Appellant's Defences repelled the Respondent's Claim and found him liable in Expenses be reversed.

2. That the Respondent's Action be dismissed with Expenses as appears to be just.

3. That the Cause be remitted back to the Court of Session to proceed accordingly.

4. That the Appellant's Costs in the House of Lords and in the Court below be paid by the Respondent.

On the 17th September the Petitions were heard and the Petitioners' Counsel were called for.

1. Whether the Cause be remitted to A or B for Trial or whether both Issues were proper and should be tried by the same Jury. Appeal be dismissed.

2. Whether the Cause should be tried by the Sheriff of Edinburgh. Sale in the Petition.

3. Whether the Cause should be tried by the Sheriff of Edinburgh and a Jury of Edinburgh or a Jury of Haddington

9 without that proper enquiry decided
the Case the Court of Appeal in Representation of
the Canada Co. that the Court was bound,

6. As regards the Canada Land Company
contract the appellant relied upon the Court of
the Lake and proceeded the Canal - the
appellant's counsel pointed out the Canal
Lake stopped by Canada without any
proof and sufficient reasons and decided
the Court in favour of the respondent Lapi
on their former decision.

7. The Court in their Lordships opinion
did not pay sufficient attention to the
evidence adduced by the appellant
and the proceedings in the Court of Appeal
for Canada ought not to be
allowed to stand as the decision of
Lordships of the appellant.

8. The Court of Appeal in Canada
in holding that the Court was bound
by the decision of A. Lapi in favour of
the respondent - the Canada and the appellant
Company that the Court was bound
not - the Village of Valois officers had
not jurisdiction to A & B Lapi for payment
to the appellant of the Company
in respect of the Canada Lake.

9. We find that the respondent
Court the Court in their Lordships

was a proper Sale and immediately after the Deed was executed and delivered the Appellant was duly admitted Tenant to the Premises and continued so to be until the Expiration of the Term granted by the Lease.

11. That by the Covenant for Renewal that the Respondent should not be obliged to renew the Lease unless the Appellant should give Notice in Writing of his Intention to have a new Lease six Months before the Expiration of the Term, which Notice the Appellant never gave.

12. That the Appellant has been guilty of Breaches of the Covenants to repair and to leave the Premises in good Repair at the Expiration of the Term, and has refused to pay the Sum of £100 which the Respondent has demanded of him for Dilapidations.

13. That the Respondent has been ready and willing to perform his Part of the Agreement and to grant a new Lease to the Appellant, but the Appellant has refused to accept the same.

14. That the Respondent has been informed and believes that the Appellant has been guilty of Waste and Spoil in the Premises, and has cut down and destroyed Timber and Trees growing thereon, and has sold the same, and has also pulled down and removed Buildings thereon, and has sold the Materials thereof, and has also broken up and converted to his own Use Fixtures and Fittings which were the Property of the Respondent.

15. That the Appellant has been guilty of Breaches of the Covenants to repair and to leave the Premises in good Repair at the Expiration of the Term, and has refused to pay the Sum of £100 which the Respondent has demanded of him for Dilapidations.

16. That the Respondent has been informed and believes that the Appellant has been guilty of Waste and Spoil in the Premises, and has cut down and destroyed Timber and Trees growing thereon, and has sold the same, and has also pulled down and removed Buildings thereon, and has sold the Materials thereof, and has also broken up and converted to his own Use Fixtures and Fittings which were the Property of the Respondent.

U

(5)

O.S. No. 146 of 1892-93

Appt

Chinnasamy
of Suragasamy
Vanniakulakshatriyan
Represented by his Tahsildar
advocate.

Respt

Dave Gloster

In 1886, one Hussen Sahib purchased certain Kandayam lands in a Revenue sale for arrears of Revenue. The boundaries of the land are given in the sale certificate, & the area of the land is stated therein as ~~D.M. 1 — 9 — 3 3/4~~ x. x. p

Dust 12 — 2 — 8
D.M. 1 — 9 — 3 3/4. } or 45 acres ~~49.10~~

Hussen Sahib
1. The land was purchased by Pallavan

Srinivasan

~~according to~~ Survey No 5 consists
K. which
of 5 a of D.M. in which the boundaries ~~of the~~
given in the above sale certificate, was
demarcated as Survey Number during the
Survey in 1890. ~~at was~~ applied for ~~by~~ to ~~the~~
for cultivation.
~~Dave Gloster~~ in June 1891. the

Sheet Rover having reported that
the land was ~~unmeasured waste~~ waste without any trees thereon
the Commissioner granted the Dankart
in July 1891. Appl appealed to the Board
against the ~~granted~~ granted part of the holding
in Oct 1891 & in March 1892, the Samabula
Officer decided appl's land to be
measured & a grant to issue of any
of the Respts = when appl's land was
measured, it was found to be 49 acres
instead of 50 odd acres applied for
by the Respt. The was ordered to be
sold by public auction - It was sold
accordingly & appl purchased it, but the
sale was subsequently cancelled & the
land was made over to Respt in Dec 1892.
Appl now appeals against this last order

The grounds on which Appellant's
Application was recommended are

1st. That land applied for was entered
in the A list, & as the 1st Declarator is
entitled to have it

2dly That the area actually enjoyed by
appl was ~~in excess~~ in respect of
of the number under dispute, in excess

evidence that it was a destroyed number & that the boundaries given in the Sale Certificate of 1886 were wrong, to cancel the order already issued & grant the land to applt.

[initials]
21/1/94

I propose to add at the end of the order after "assigned" the following: "the value of any improvements effected by Respt [illegible] subsequent to [illegible] whereby additional value may have been imparted to the land, such value being paid by appt to Respt [illegible] being ascertained & determined if the [illegible] after taking such evidence as may be offered by both parties." [initials] 30/1/94

We may consider this if any claim is set up. I do not like to suggest. [initials] 31/1/94

Seen [initials] 1/2

Recd.

Pl. is referred to the Dy Commr who has been requested to make further enquiries & dispose of the case afresh.

[initials]

Then, what do you wish me to do?
[initials] 29/1/94

The Dastbarito are all subject to decision on appeal. He has no right to claim any compensation?
[initials]
23/4/94

Inquiry of [illegible] is [illegible] Respt has during the past 2 years [illegible] in poss[ession] improved the land & incurred expense [illegible] applt remain [illegible] the extent of the [illegible] ?
[initials]

Seen. I am rather doubtful in this case [initials] 23/4

Recd [illegible]

(General Serial No. 32.)

1893. 16 (2)

No. 2780

Name of Petitioner. G. K. Srinivasa Rao by Mr. S. Narayan Rao.

Village. Girgasoori

Taluk. T. Narsipur

District. Mysore

Date of Arzi. - 4 - 93

Date of Receipt. 25-4-93.

Date of Disposal.

No. of Enclosures. one

ABSTRACT.

Appeals against the Deputy Commissioner's order on his Rent Appeal No. 197/1892, confirming the Second General Assistant Commissioner's order, cancelling the sale of land measuring 4 manas & ordering the same to be given to the Respondent Basi of Bannur.

26/4.

Mysore Govt. Central Press Bangalore—7-9-92,—1000.

holding of the appellant consists of dry and wet kerteins assessed at Rs. 175-12-6.

3. On the representation of the predecessor in title of the appellant, Mr. Neilejohn the then deputy Commissioner of Mysore was pleased to direct by endorsement No. 79 dated 18th July, 1890 that as the lands in the holding of the appellant were measured by the executive engineer and found to consist of more land than was entered in the patta of the appellant, he should have a fresh additional assessment on the excess land. A copy of which is herewith submitted.

4. In this State of affairs the first respondent in collusion with the Shanbhog of the village surreptitiously and khasked for a portion of the land No. 189 which was in the possession and enjoyment of the appellant, falsely representing that it was government waste land.

5. When this fact came to the knowledge of the appellant he at once protested against the granting of the land to the first respondent, Vasi, and the personal assistant Commissioner without holding proper enquiry directed the land to be sold on the representation of the amildar that the land was a valuable one.

6. In

as required by the rules 26

9. The fact that the first respondent sold the land in dispute to the second Respondent under a registered sale deed immediately after his application was accepted and during the pendency of the dispute affords an additional proof that the land is a valuable one and that the enemies of the appellant had secretly put forward the first respondent in this affair in order to harass and cause loss to appellant.

10. It is illegal and highly unfair to appellant to take away from his holding the land found to be in excess of the extent entered in his patta for the reason that in unsurveyed village the recorded extent and the actual extent do never tally.

11. The appellant begs further to submit that the severance of the land in dispute from the rest portion of the holding will render his lands (having been large enough) unfit for cultivation and prevent easy access for his cattle &c.

12. The learned Deputy Commissioner

had

Ref
1448

17/5/93

3

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

22

OFFICIAL MEMORANDUM.

The accompanying Petition No. 2750

dated 25—4—93 received at the

Dewan's Office from G. E. Thimmaiah, Cau

of Gurgeswary, [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

is forwarded, together with its one

enclosure, to the Deputy Commissioner

by whose Court, for enquiry and

proceedings and a report on the

facts of the case on the points

taken in the petition.

2. The petition, with its enclosure,

should be returned.

A.R. 157-93

By Order,

Draft 17/5/93

Chief Secretary.

BANGALORE, 12
May 1893.

M. G. O. P. Bangalore.—21-11-92—3,000.

From the Court No 185—21-8-93

24

July '93.
Ch. Sessions proceedings re.
petition against Mud.

Superintendent's Office
Salem, Coimbatore August
1893.

From,
R. Ahmed Kutti Esquire
Asst. Commissioner

(4)

To,
The Chief Secretary to the
Government of Madras

Sir,

With reference to your Special Memorandum No. 1148 dated 2 May 1893 directing the submission of proceedings with report on the appeal petition of G. A. Srinivasa Iyer & Guruswami Chetty, I have the honor to submit herewith the proceedings as directed and to state that it will be seen from the proceedings that the land in dispute belonged to the Arisi Gramakkanis and there was no irregularity in giving it to Basilgowda as their minister.

2. The appellant in the enquiry before the Sessions Judge alleged that the excess over the holding was to be confirmed to Basilgowda.

3. The enquiries agreed with the above

x 1 Sessions Judge's No 04 dated 7 June 93

25

above are herewith returned -

I have the honor to be

Sir,

Your most obed't servant

[signature]

Lt. Col. Commissary

Chief Quartermaster

Comm'd
Ulm - MM

Before the Government of His Highness
the Maharajah of Mysore

Appeal Nos 46 of 1892-93 (5)

96

Appellant
Srinivasa Row &
Ganapathiswamy,
Srimathistha Karnapan
Dalal represented by M/s J.
Narain Row, advocate

Respondent
Race Gowda

L.R. 156-92-4

Decision dated 23rd January 1894.

In 1886, one Hussein Dalal purchased certain Kondayam lands in a Revenue sale for arrears of revenue. The boundaries of the land are given in the sale certificate, and the area of the land is stated therein as

Wet - 12 K 2 K 8 P
Dry - 1-9-3¾ } or 45 acres

Hussein Dalal sold the land to Petitioner Srinivasa Row.

2. Survey No 5 consisting of 2-5-5 K K P of Dry which is within the boundaries given in the above sale certificate

was demarcated as forest
97
reserve during the survey
in 1890, and Respondent applied
for it for cultivation in June
1891. The Settlement having
reported that the land was
made without any trees
thereon, the Conservator granted
the Pattah in July 1891.
Appellant objected to the
grant in October 1891, on the
ground that it formed part
of his holding. In March 1892,
the Conservator of Forest directed
appellant's land to be measured
and to grant the excess, if
any, to the Respondent.
When appellant's land was
measured, it was found to
be 49 acres exclusive of 5 and
odd acres of land applied for
by the Respondent. This
was ordered to be sold by
public auction. It was said

accordingly, and appellant purchased it, but the sale was subsequently cancelled and the land was made over to Respondent in December 1892. The appeal is against this last order.

3. The grounds on which appellant's objection was overruled are: —

1st The land applied for was entered in the A list, and so the 1st Respondent is entitled to have it.

2nd That the area actually occupied by appellant was, irrespective of the number under dispute, in excess of the extent entered in his Patta.

3rd That the appellant in the enquiry before the Tahsildar agreed that the excess over his holding might be made

over to the Respondent
Dacca for de.

4. Government consider that the grounds on which the appellants' objection was over-ruled are not satisfactory. It may be that Rs 5 is entered in the A list, but the dispute is that its insertion in that list was an error, and the fact that the area actually enjoyed by appellant is in excess of the extent given in his Patta is no conclusive proof that the amount under dispute did not form a part of his holding over & excess in Patta lands are of usual occurrence. As regards the remark that appellant himself agreed that the excess might be given over to the Respondent

32

District, with the necessary proceedings received with his No. 135 dated 21-3-23

By order

13/2

Chief Secretary

S.C. BR

part of Appellant's Khata, it ought to go to appellant on full assessment.

The Deputy Commissioner is therefore requested to examine the parties concerned on this point and the old accounts, and find out what number the land under dispute bore before the Survey, and if there is no satisfactory evidence that it was a distinct number and that the boundaries given in the sale certificate of 1886 were wrong, to cancel the order already issued and grant the land to appellant on full assessment

By order,

Redraft

Chief Secretary 17/12

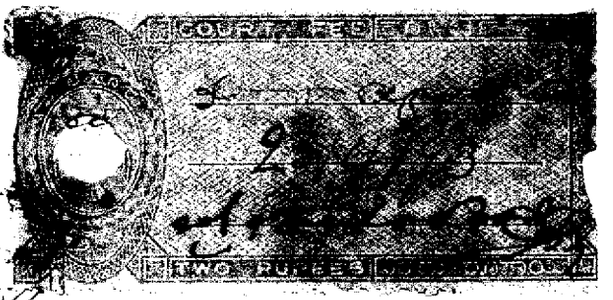
Copy to the Deputy Commissioner, Mysore

No. 13745
Pet. F. 94-93

12

12/12/94

Received by
Mr. S. Narasimha Rao
Srirangapatna
25/4/93



MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REGD. No. 2780 K
DATE 25-4-93

1

Two Rupees Stamp

The Government of His Highness The
Maharaja of Mysore

A.S. No 146
Revenue Appeal No. 2. 93. of 1893

Appellant G. R. Sreenivasa Rao of
Girgeswari

Respondents: 1. Dasi of Banur
2. Sreenivasa Raghava char
Jaidar of Vakalagere,
of T. Narasipur Taluq

The appellant above named respectfully begs to appeal against the decision of the Deputy Commissioner of Mysore in Rev. Mis. Appeal No. 19 of 1892 for the following reasons:-

The appellant is the holder of land No. 1889 situated at Banur of T. Narasipur Taluk and the land in dispute forms a portion of the said number

2. The Survey settlement of the said village has not as yet taken place and the land

the

in Patta lands are
of usual occurrence,
& that he was hurried ready
to pay the assessment thereon.
Prima facie, the land
under dispute belongs
to appt, since it is stated
to be within the boundaries
mentioned in the sale
certificate granted
to the Khatadar from whom
appt purchased the land,
& unless there is conclusive
evidence that the land is
was separate ~~property~~
& never formed part of
appt's khata, it ought
to go to appt on pulc cost.
The Dy Com[r] ~~before~~ whom it is requested to examine the parties
~~to examine~~ & the
accounts, & find out
what number ~~for~~ the land
under disputes have before
the Survey — & of the
is no satisfactory

of the evidence entered
in her Pulla.

3dly, That the appellant
in the Enquiry before the
Ramabanda Officer agreed
that the exam over her holding
might be made over to
the Respt. ~~Appellant~~ Daseyowda,

You consider that
the grounds on which the
Appellant's objection was
overruled are not satisfactory.
It may be that Nos in entered
in the A list, but the dispute is
not its insertion in the list was
an error — the fact that the area
actually enjoyed by Appt is in excess
of the ~~Ass~~ extent given in her Pulla
is no conclusive proof that the Numbers
under dispute do not form a part of
her holding since excess in Pulla lands
are of usual occurrence — As regards the remark
that Appt himself agreed that the exam might be
given over to the Respt, though I answer made
a remark to that effect in the Jakrarpatte,
this is a Petition presented by Appt shortly
afterwards, in which he stated that [illegible]

The appellant has appealed against this order on the following grounds.

1. The appellant is the holder of land no. 1889 situated at Bommur of T. Narsipur Taluk and the land in dispute forms a portion of the said number.

2. The survey settlement of the said village has not as yet taken place and the land in the holding of the appellant consists of dry and wet portions assessed at Rs. 175-12-6.

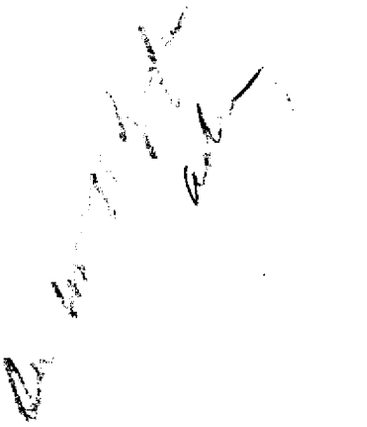
3. On the representation of the predecessor in title of the appellant, Mr. Cecil Stephen the then Dy. Commissioner of Mysore was pleased to direct by Endorsement No. 79 dated 18 July 90 that as the lands in the holding of the appellants were measured by the Esc. Engineer and found to consist of more land than was entered in the patta of the appellant, he shall have to pay additional assessment on the Excess land.

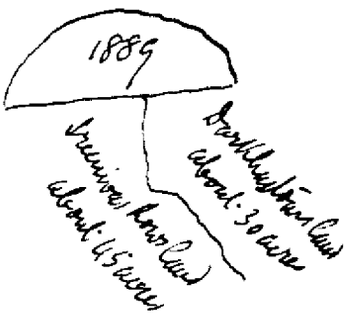
4. In this state of affairs the 1st Respondent in collusion with the Shanbogue of the village surreptitiously dark blacked for a portion of the land No. 1889 which was in the possession and enjoyment of the appellant, falsely representing that it was Government waste land.

5. When this fact came to the knowledge of the appellant he at once protested against the granting of the land to the 1st Respondent Das, and the Asst. Dpty. Commissioner

it would be natural to find difference between the previous and present measurements and such would be the case if other lands were put to the same test. that as the Takkarar portion was within the boundary of his land and was in the enjoyment of the previous holder from whom he bought it's right he asked he should be given the first refusal if it should be given out for cultivation.

On the 20th April 92 notices were issued to Dreenivas Row and Chinnaswamy Naiki and served on them on the 30th April & 1 May 92. On the 14th May 92 Panchayath was held by the Amildar in the presence of the Karkoon, Shanbogue, Patel, the Takkarardar and the Darkhastdar and on the 18th idem a report was submitted purporting that Sub-division no. 38 of land no. 1889 which is dry, but now waste and measuring 5 acres and 7 guntas and which is not in the holding of any one but belonging to no. 5 in the list prepared by the Survey Department filed with the records, was compared with the Survey map produced by Takkarardar Dreenivas Row. It appears that Darkhastdar's land viz marpu and is within the boundary of the lands referred to in the sale list certificate. His whole lands measure wet 12 - 2 - 8 dry 1 - 9 - 3¾ equivalent to about 45 acres and was in the enjoyment of A. G. Dreenivas Rao during survey. If the measurements of the several lands in the Village according to Survey Department were totalled it would be 490 odd acres and if the Takkarar lands were added to this it would be 534 odd acres. It is a barren land and it





2780
A.S. 146

L.R. 156-92-5

33

ಇಂದು ಕಳುಹಿಸಿದೆ
19-2-94

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

12/19 Feby 1894

(6)

Endorsement granted to Srinivasa Row of Gargeswari Tirumakudlu Narasipur Taluk, represented by Mr. S. Narain Row, advocate

in reply to his Petition Registered No. 2780 A.S. 146 dated 25-4-93 appealing against the Dy. Commr's order ~~cancelling~~ granting ~~the inam of~~ S. No. 5 in Bannur to Respt. Dasse Gowda.

Petitioner is ~~informed that~~ referred to the Deputy Commr. who has been requested to make further enquiries and dispose of the case afresh

2 The enc: is returned

"By Order"

Redraft

13/2

Chief Secretary.

30

Respondent, the Govern-
ment note that, though the
Amildar made a remark
to that effect in the Jakrar
patti, still in a petition
presented by appellant
shortly afterwards, he
stated that excesses in Patta
lands are of usual oc-
currence, and that he was
himself ready to pay the
assessment thereon.
Prima facie, the land under
dispute belongs to appellant
since it is stated to be
within the boundaries
mentioned in the sale
certificate granted to the
Khatadar from whom
appellant purchased the
land, and unless there
is conclusive evidence
that No 5 was separate
and never formed

(General Serial No. 30.)

2727

1893 P. 119

93.

(4)

From The Deputy Commissioner Mysore District

To The Chief Secretary to the Dewan of Mysore

A. R. 15-6-92-3

Dated 21st August 1893

Despatched

Received

Enclosures No. Petition No. 2700 and Kannada proceedings

General No.

No. 185

Submitting report on the petition of G. R. Srinivasa Row of Gurgéswari, Tirumakudlu Narsipur Taluk.

Peter Br. Mun

26/8

M. G. O. P. Bangalore.—30-1-93.—5,000.

had no Jurisdiction to set aside the order of Mr Meiklejohn his predecessor referred to in para three above.

For the foregoing reasons the Appellant prays that the Government will be pleased to set aside the order of the deputy Commissioner under appeal and direct that the lands in dispute be restored to appellant on any conditions the Government may deem proper and just under the Circumstances of the case

Bangalore
April 1893

S. Narayana Rao
Adv: for appt

6. In order to secure peace and under protest the appellant bid for the land at the sale and purchased the same. The Assistant Commissioner then Cancelled the sale ordered by himself without any good and sufficient reason and directed the land be given to 1st Respondent Dasi on his former Dakhas

7. The land in dispute was always in the possession and enjoyment of the appellant and his predecessors in title as forming a portion of his holding. It was never known to be Government land and there was no boundary mark, for indicating that the land is a separate one from that in the holding of the appellant

8. The learned Deputy Commissioner erred in holding that the land was Government Waste and belonged to A list, in spite of the opinions of the Amildar and the Assistant Commissioner that the land is a valuable one. The Village or Taluk officials had not put up A and B list for public view with the approval of the Deputy Commissioner

as

It should be reported with reference to old chittas sundry items in original.

4. As Treasurer how states that the land is within his boundary & Secretary there is any classed Banjar besides it.

On the 13th October 92 the Amildar submitted his report on the above points stating that A & B lots are in Excise & and the land belongs to the former - that from the Inamdar the land does not seem to be fit for wet cultivation, but if large amount is laid out it could be made to suit for it - that he has heard from Kodi Valli Villagers that the land used to be cultivated by Koppain Sab, but it has been a Banjar from a very long time and the Darkhastdar praised from crops on it only last year, and that there were some wet lands dry lands found to be in Excess of other holdings which were all darkhasted for and sold. and Submitted the original chittas called for.

On this the appellant Submitted on the 1 December 92 a further statement and the Dy. Commissioner after perusing the above papers rejected the appeal by setting aside the Sale and leaving Dapi Sowdar in undisputed possession of the land - Vide Dy. Comrs. order in Rev. Mis. appeal case No. 19 of 1892-93.

the Korer to hold Jamnaishi after Land and cancelled the darkhast. The Shekdar measured the Land in the presence of Sreenivas Row and Hoopain Sab and submitted the measurement list.

16-12-91

Thereupon the Amildar having applied to the Dy. Commissioner for previous reference regarding the application of Hoopain Sab, the previous holder of the Land, for remission of assessment & Supply of water and Mr. Meikle Johns order after having the Land measured by the Survey department and being through the Collector submitted, on the 23 January 92 to the Jamabandi officer a Zakkar Paisal Zakla recommending the Cancellation of the Sajwoli dist-peim by him and the grant to the darkhastdar of only so much of the Land as should be found in Excess of the Extent of Sreenivas Row's Land as Surveyed when in the occupancy of Hoopain Sab.

21-9-90

On the 25th March 92 the Jamabandi officer ordered the Land to be measured and so much of the Land as is entered in Sreenivas Row's Khata to be given to him and the Excess to the darkhastdar. The Amildar posted the Jamnaishi on the 4th May 92 and ordered the issue of notices to Zakkar dar and the darkhastdar.

In the meanwhile Sreenivas Row having heard about the order of the Jamabandi officer represented to him on the 31 March 92 that